

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>	Attorney Docket No.	17976-0006
	Named Inventor(s)	H ward Bernstein, et al.
	Title	Sustained Rel ase Pharmac utical F rmulati n f r Inhalati n
	Express Mail Label No.	EL 972592364 US

**APPLICATION ELEMENTS**

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification Total Pages: 50
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claims(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) Total Sheets 4
5. Oath or Declaration Total Pages 4
  - a. ☒ Unexecuted (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - (i) ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76
7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix).

**ADDRESS TO:** Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

8. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. ☐ Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statement verifying identity of above copies
9. ☒ Assignment Papers (cover sheet & documents(s))
10. ☐ 37 CFR 3.73(b) Statement  
☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449  
☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.  
☐ Form PTO/SB/35
17. ☒ Other: check for \$972.00

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information and in a preliminary amendment, or in an Application Date Sheet under 37 CFR 1.76:

☐ Continuation   
 ☐ Divisional   
 ☐ Continuation-in-part (CIP)   
 of prior application No: \_\_\_\_\_  
 Prior application information: Examiner: \_\_\_\_\_    Group Art Unit: \_\_\_\_\_  
 Recite complete dependency back to first parent application: \_\_\_\_\_

19. **CORRESPONDENCE ADDRESS:**

Kevin W. King, Esq.  
 SUTHERLAND ASBILL & BRENNAN LLP  
 999 Peachtree Street, NE  
 Atlanta, Georgia 30309-3996  
 Telephone: 404-853-8068    Facsimile: 404-853-8806

**CUSTOMER NO. 29052**

Kevin W. King    Reg. No. 42,737    Date: **September 30, 2003**

PTO/SB/05 (03-01)

 22386 U.S. PTO  
10/675874


093003

 The PTO did not receive the following  
listed item(s) Assignment  
Paper

**FEE TRANSMITTAL**

Attorney Docket No. 17976-0006

This sheet accompanies a patent application transmittal for the following application:

Inventor(s): Howard Bernstein, et al.

Filing Date: **September 30, 2003**Title: **SUSTAINED RELEASE PHARMACEUTICAL FORMULATION FOR INHALATION**

The filing fee is calculated as shown below:

**1. FILING FEE:**

SMALL ENTITY			LARGE ENTITY	
FOR:	FEE	FEE PAID	FEE	FEE PAID
<input checked="" type="checkbox"/> UTILITY FILING FEE	\$375	375.00	\$750	
<input type="checkbox"/> DESIGN FILING FEE	\$165		\$330	
<input type="checkbox"/> PLANT FILING FEE	\$260		\$520	
<input type="checkbox"/> REISSUE FILING FEE	\$375		\$750	
<input type="checkbox"/> PROVISIONAL FILING FEE	\$80		\$160	
SUBTOTAL (1)		\$375.00		\$

**2. CLAIMS:**

SMALL ENTITY					LARGE ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	56 - 20 =	36	x 9 =	324.00	x 18 =	
INDEP. CLAIMS	7 - 3 =	4	x 42 =	168.00	x 84 =	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+140 =		+280 =	
SUBTOTAL (2)				\$492.00		\$

**3. ADDITIONAL FEES:**

SMALL ENTITY			LARGE ENTITY	
FOR:	FEE	FEE PAID	FEE	FEE PAID
<input checked="" type="checkbox"/> LATE FILING, FEE OR OATH	\$65	65.00	\$130	
<input type="checkbox"/> NON-ENGLISH SPECIFICATION	\$130		\$130	
<input type="checkbox"/> OTHER:	\$40.00			
SUBTOTAL (3)		\$65.00		\$

**TOTAL FILING FEES: \$932.00**A check is enclosed for the total amount: **\$972.00**☒ Credit any overpayment or charge any additional fees required under 37 C.F.R. 1.16 or 1.17 to Deposit Account 19-5029.**SUTHERLAND ASBILL & BRENNAN LLP**999 Peachtree Street, NE  
Atlanta, Georgia 30309-3996  
Telephone: 404-853-8068By: Kevin W. King  
Reg. No. 42,737Date: **September 30, 2003**